

HOUSE No. 1743

By Mr. Norton of Fall River, petition of Thomas C. Norton for legislation to establish rules and regulations concerning programs on cable television. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Four.

AN ACT RELATIVE TO CABLE TELEVISION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 166A of the General Laws is hereby amended by adding
2 after section 22 the following sections: —

3 *Section 23.* The commission may not prohibit or limit any
4 program or any class or type of program or otherwise censor the
5 communications or signals transmitted by any cable operator or
6 over any cable television system, and may not promulgate any
7 regulation or condition which would interfere with the right of free
8 speech by means of cable television.

9 No city or town may prohibit or limit any program or class or
10 type of program or impose discriminatory or preferential license
11 fees in any manner that would tend to encourage or discourage
12 programming of any particular nature, directly or indirectly.

13 Nothing in this section shall be construed as prohibiting any
14 cable television company from making available to subscribers
15 devices capable of preventing the reception of material that may be
16 considered inappropriate for viewing by children.

17 *Section 24.* Neither a cable television company nor its officers,
18 directors, or employees whose facilities are used to transmit a
19 program, the content of which is controlled by a person other than
20 such cable company pursuant to the provisions of this chapter or
21 of federal law or of applicable regulations or of a cable license or

22 city or town ordinance, shall be liable for damages arising from
 23 any obscene or defamatory statements or actions or invasion of
 24 privacy occurring during any program when such company does
 25 not control the content of such programs. Liability for such
 26 program shall lie with the producer of the program and other
 27 persons whose actions directly contributed to the violations.